

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver #02005

DATE: June 13, 2003

PROPOSAL: To waive the following minimum improvements required by the Subdivision Ordinance associated with People's City Mission Administrative Final Plat #02008:

1. Sanitary sewer in 1st Street
2. Water main in 1st Street
3. Storm sewer in 1st and 2nd Streets
4. Street paving in 1st and 2nd Streets
5. Street Trees
6. Sidewalks along 1st and 2nd Streets

LAND AREA: 1.08 acres, more or less

CONCLUSION: The Public Works & Utilities Department does not object to the requested waivers to sanitary sewer, storm sewer, sidewalks, water mains, and street paving. The Parks and Recreation Department objects to the request to waive street trees.

RECOMMENDATION:

• Storm sewer in 1 st and 2 nd Streets	Recommend Conditional Approval
• Street paving in 1 st and 2 nd Streets	Recommend Conditional Approval
• Street Trees	Recommend Conditional Approval
• Sidewalks along 1 st and 2 nd Streets	Recommend Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-6, and all of the east-west vacated alley all located in Block 264, Original Plat of Lincoln.

LOCATION: Generally located at North 2nd and "R" Streets

EXISTING ZONING: I-1, Industrial

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	Salt Creek, undeveloped, and storage	I-1, Industrial
South:	City Mission storage shed and undeveloped	I-1
East:	Lumberyard storage yard and undeveloped	I-1
West:	Midland Equipment Company open storage	I-1

HISTORY:

The Planning Commission approved Street and Alley Vacation #01021 for east-west alley from North 1st to North 2nd Street in Block 264, Original Plat of Lincoln on **January 9, 2002**. A condition of the vacation was to submit an administrative plat so that all lots would have frontage to a public street. When the plat was reviewed several subdivision standards were encountered that cause the applicant to apply for the advertised waivers.

The City Council approved Special Permit #1123A to expand the People's City Mission and to reduce the front yard setback from 15' to 6' on **January 18, 2000**.

City Council denied Special Permit #1554 for a salvage yard at N. 1st and R Streets on **April 12, 1995**.

City Council denied Special Permit #1369 for a self storage building at 415 N. 2nd Street on **June 18, 1990**.

The City Council approved Special Permit #1123 for the People's City Mission on **January 28, 1985**.

Ordinance #13562 vacating "S" Street from the east line of North 1st Street to the west line of North 2nd Street was approved by the City Council **March 28, 1983**.

The area was zoned L, Heavy Industrial until it was updated to I-1, Industrial during the **1979** zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows this area as industrial (F-25)

"Sidewalks should be provided on both sides of all streets" (F-66)

This area is in a 100-year flood zone. The Mayor's Floodplain Task Force is currently developing policy standards for floodplains that consider the natural functions played by these areas.

"There is an opportunity to reduce the risk of flood damages to life and property and to preserve the important functions of floodplains by designing areas for future urban development outside of floodplain and floodway areas. This would preserve the important natural and beneficial functions of floodplains, including flood storage and conveyance properties". (F-78)

"Subject to the findings of the Mayor's Floodplain Task Force and the assumptions used in crafting this Plan, future urban development will be outside of the floodplain and floodway. This helps new development avoid

potential flood risks and preserves the important functions of the floodplain. Keeping development outside of the floodplain preserves flood storage and other natural and beneficial functions of floodplains. It also avoids the long-term, cumulative impact of development in the floodplain". (F-79)

"Opportunities should be sought for the reclamation of floodplain functions through the acquisition and relocation of structures and the re-establishment of natural or open space areas". (F-79)

"Developing a balanced transportation system that meets the mobility needs of the community and supports Lincoln and Lancaster County's land use projections and plan". (F-87)

UTILITIES: Sanitary sewer will be available in N. 2nd Street as soon as the main is extended from the east. The Public Works & Utilities Department currently has executive orders to build this main. Water is available in N. 2nd Street.

TRAFFIC ANALYSIS: North 1st, North 2nd, "R" and "S" Streets are classified as local streets in the Comprehensive Plan.

ANALYSIS:

1. The Public Works & Utilities Department indicated that the requests to waive street paving, sidewalks and storm sewer are satisfactory. Public Works & Utilities Department indicated the waiver is acceptable if a condition is attached to the special permit to pave the adjacent streets and install storm sewer, sidewalks and street trees prior to the approval of the first building permit for a new building within the special permit. The administrative final plat will have a subdivision agreement attached to it which states that the adjacent street system, storm sewer, sidewalks and street trees will be tied to the application for the first building permit for any new construction in the special permit area and a note added to the special permit site plan.
2. The Subdivision Ordinance states that water and sanitary sewer mains shall be extended to enable each lot to make a connection. The lot shown on the final plat has the ability to make connections in N. 2nd Street for both water and sanitary sewer and a waiver is therefore unnecessary. The plat meets the Subdivision Ordinance standards as shown.
3. The Parks and Recreation Department indicated that they do not support the requested waiver to street trees, however, if the condition is added to the special permit indicating that street trees shall be installed at the time that the City Mission begins to implement their expansion by constructing new buildings on their site the Parks and Recreation Department is satisfied.
4. When the original special permit was approved a final plat was not required. Minimum improvements are assessed with final plats. Due to this, none of the minimum improvements were required with the special permit for the City Mission. Minimum

improvements were never waived with the original special permit, and in fact, the staff report for the special permit noted that the area lacked street and sidewalk improvements and that the City Mission should install sidewalks and street paving.

5. The Comprehensive Plan indicates that transportation systems should meet the mobility needs of the community. The City Mission has a high level need to provide both street paving and sidewalk mobility needs.
6. The City Mission indicates that they have a permit to develop in the floodplain. The future extent of the proposed development is not known. The City Mission indicated they want to use the area for extended housing. It has been the policy of the City to obtain a conservation easement over the vacated area that lies in the area of the floodplain or that the applicant dedicate the same flood storage area in an acceptable location. The applicant is dedicating an area north of the area to be vacated and is shown on Ex. C. This has been reviewed by Public Works & Utilities Department and found acceptable.
7. The Planning Department received a request to amend the City Mission's Special Permit to expand the City Mission boundary showing new beds located in an existing building on the northwest corner of 2nd and "R" Streets. The City Mission is already moving forward to expand the area of the special permit and provide additional services to the public through the amendment which was submitted to the Planning Department. If the City Mission does not intend to develop the area within the plat, then the plat is not necessary and can be delayed until such time as they are ready to develop. The applicant indicated that they desire to move forward so that they can include the alley proposed for vacation into the floodplain permit. The plat is necessary to complete the proposed vacation.

Prepared by:

Becky Horner
Planner

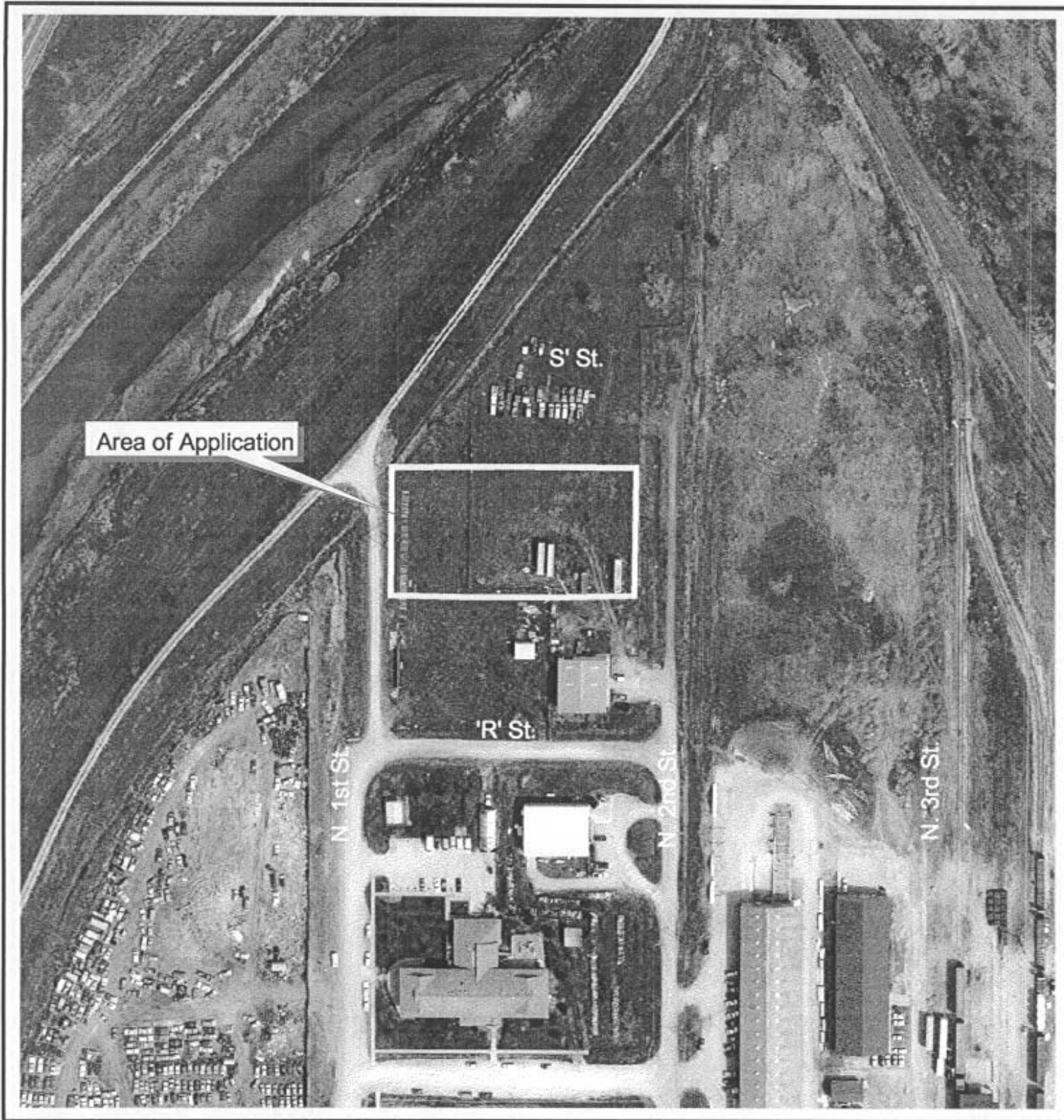
DATE: June 13, 2003

APPLICANT: People's City Mission
110 "Q" Street
(402)475-1303

OWNER: People's City Mission

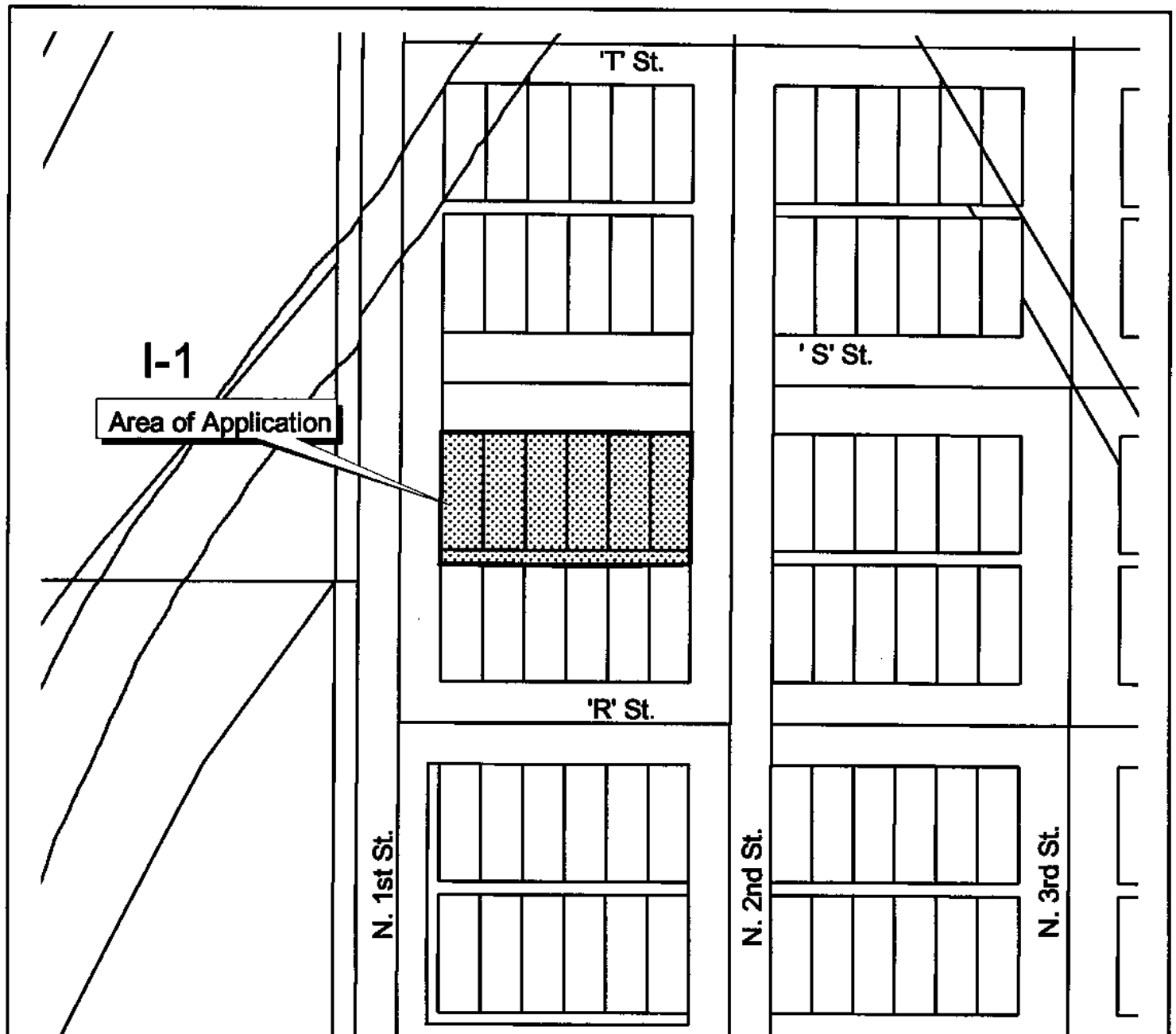
CONTACT: J.D. Burt
Design Associates of Lincoln, Inc.
1609 "N" Street
Lincoln, NE 68508
(402)474-3000

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Waiver of Design Standards #02005
N. 1st St. & 'R' St.



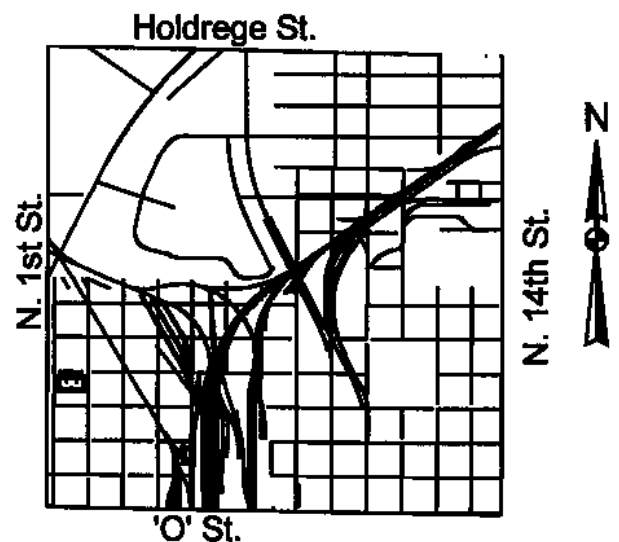
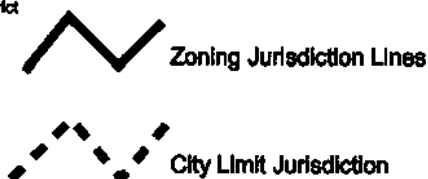


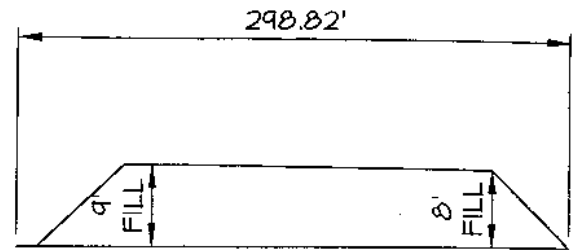
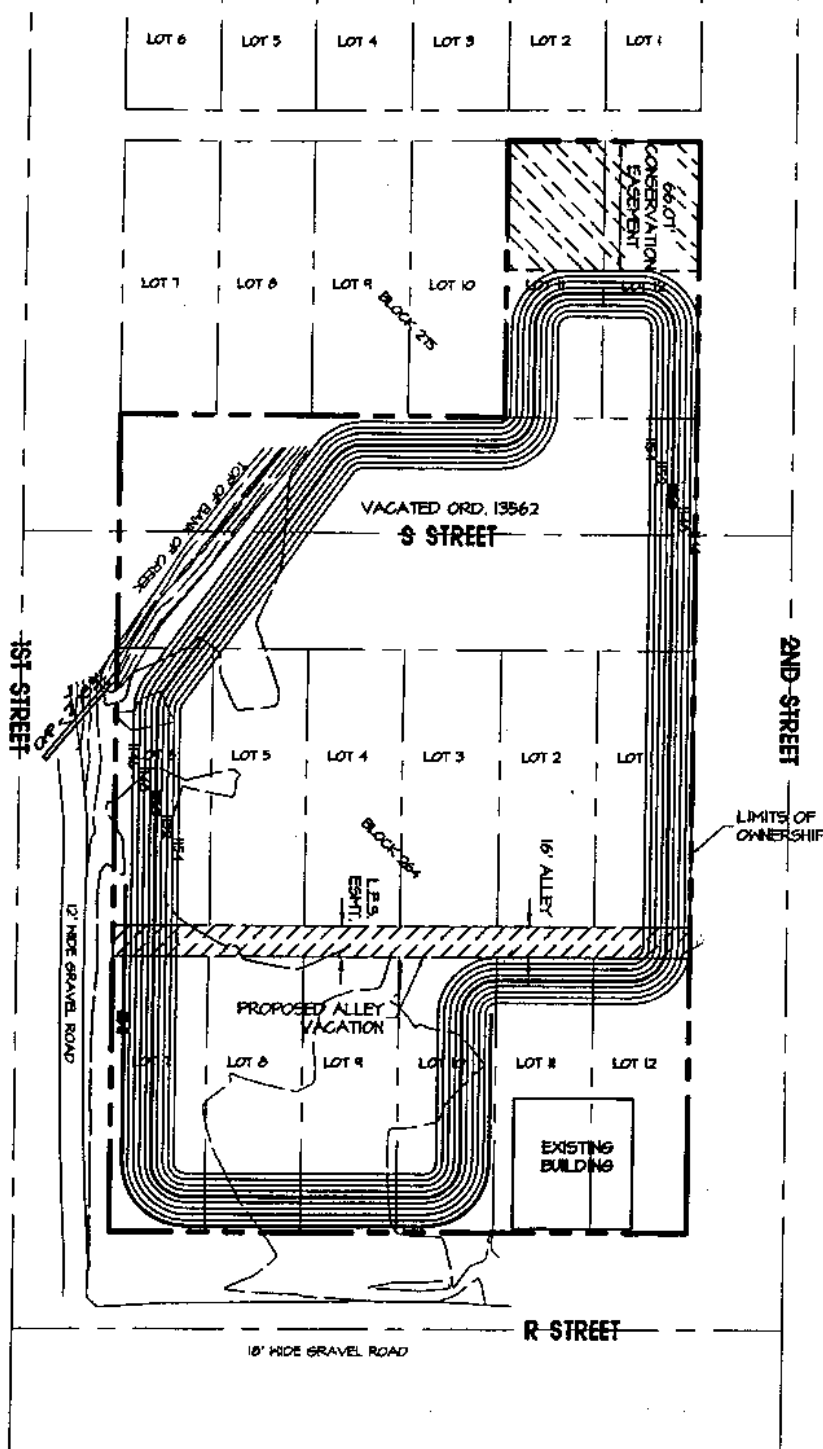
Waiver of Design Standards #02005 **N. 1st St. & 'R' St.**

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

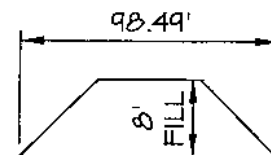
One Square Mile
 Sec. 23 T10N R6E





$$2,395 \text{ SF} \times 16' \text{ ALLEY WIDTH} = 38,320 \text{ CF FILL}$$

VOLUME OF ADDITIONAL ALLEY FILL -

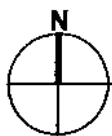


$$38,320 \text{ CF} / 580 \text{ SF} = 66.07 \text{ LF}$$

VOLUME OF PROPOSED CONSERVATION EASEMENT

VOLUME CALCUALTIONS

NO SCALE



PROPOSED AMMENDMENT TO FLOOD PLAIN DEV. PERMIT

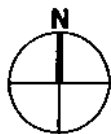
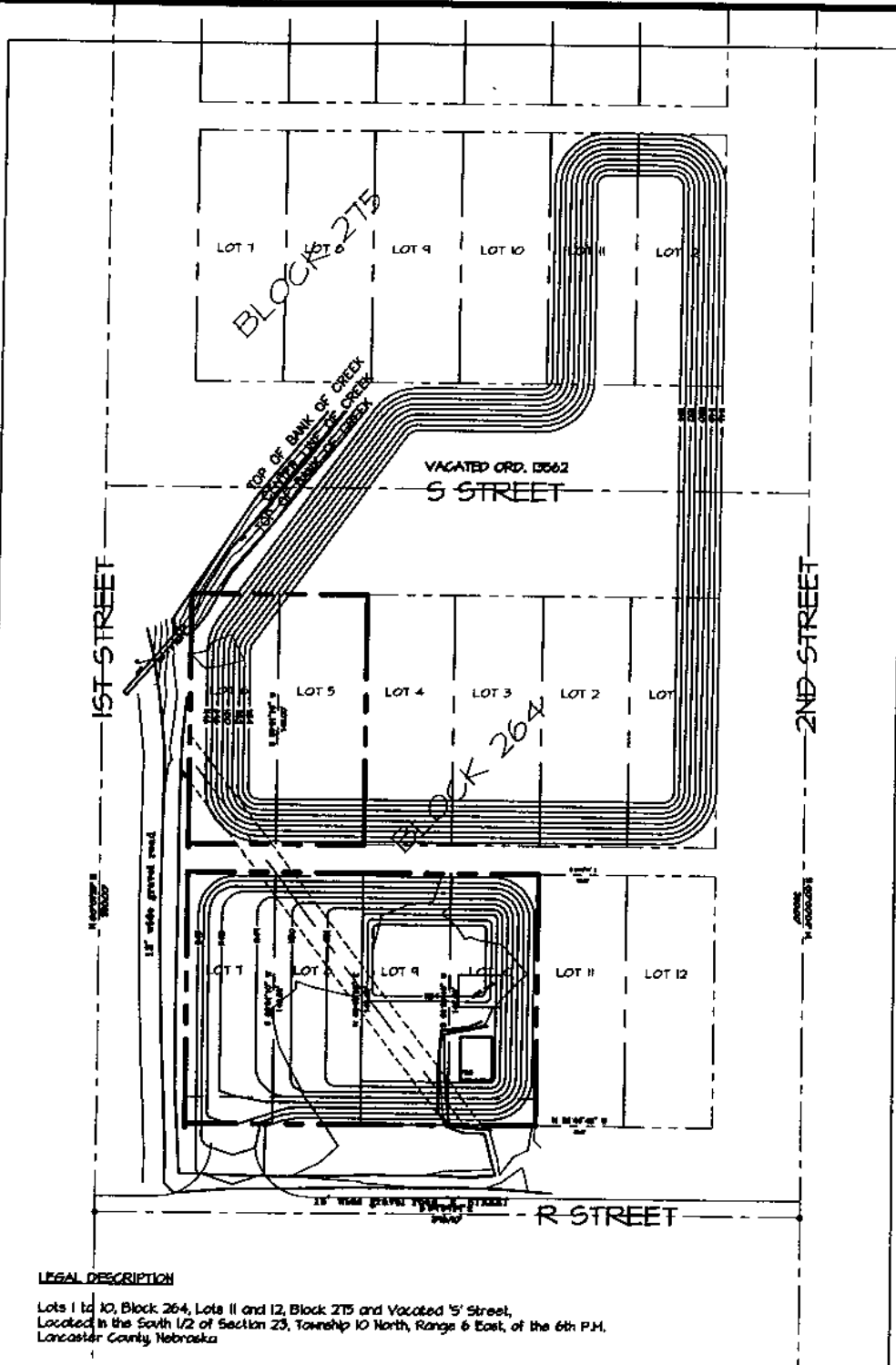
SCALE: 1" = 100'

EX. C

DESIGN ASSOCIATES OF LINCOLN, INC.
1609 "N" STREET
LINCOLN, NEBRASKA 68508
PHONE: (402) 474-3000
FAX: (402) 474-4045
desassoc@nebraska.com

PEOPLE'S CITY MISSION
ALLEY VACATION PLAN
LINCOLN, NEBRASKA

04 SEP 01
△
△



APPROVED FLOOD PLAIN DEV. PERMIT

SCALE: 1" = 100'

DESIGN ASSOCIATES OF LINCOLN, INC.
 1608 "N" STREET
 LINCOLN, NEBRASKA 68508
 PHONE: (402) 474-3000
 FAX: (402) 474-4045
 deassoc@nebbraska.com

PEOPLE'S CITY MISSION
 ALLEY VACATION PLAN
 LINCOLN, NEBRASKA

04 SEP 01



EX. B

**Design
Associates** of Lincoln, Inc.

Pershing Square
1609 'N' Street
Lincoln, NE 68508
Phone: (402) 474-3000 • Fax: (402) 474-4045

May 23, 2003

Ray Hill
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln, Nebraska 68508

RE: People's City Mission Administrative Final Plat- Waiver of Minimum Improvements

Ray,

Attached for your review please find six (6) copies of the referenced final plat. The plat is being resubmitted to satisfy conditions of approval for Alley Vacation #01021. Since the original submittal of this plat, sanitary sewer has been installed to the final plat. Water service to the plat will be provided by an existing water main located along the west side of 2nd Street.

Development standards for final plats require installation of improvements that are not currently in place adjacent to the plat. These improvements include sanitary sewer, water main, storm sewer, street paving and sidewalk. Installation of these improvements adjacent to this final plat will create gaps between these required improvements and existing infrastructure located to the south.

The owner requests waivers of the following improvements to avoid "gaps" that will be created with installation of required improvements adjacent to this plat:

Sanitary sewer in 1 st Street	Water main in 1 st Street	Storm Sewer in 1 st and 2 nd Streets
Street paving in 1 st and 2 nd Streets	Sidewalk along 1 st and 2 nd Streets	

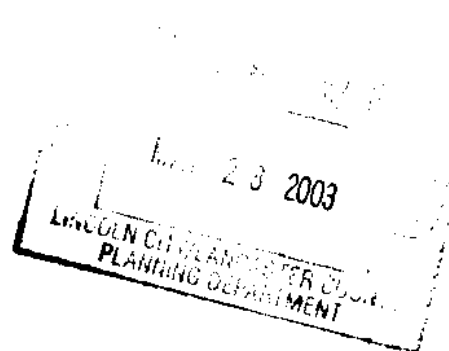
The owner also requests waiver of street trees along both frontages to avoid damage to the trees during future construction and/or installation of utilities, street pavement and sidewalks

It is our understanding approval of these waivers or escrows are required prior to approval of the People's City Mission administrative final plat. We appreciate your favorable consideration with respect to the waivers requested by this non-profit social service organization rather than the providing bonds or escrows for future improvements.

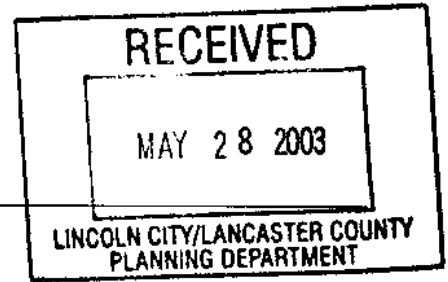
Best regards,



J.D. Burt
For the firm



M e m o r a n d u m



To: Becky Horner, Planning Dept
From: ^{BB} Bruce Briney, Public Works and Utilities
Subject: Alley Vacation #01021, People's City Mission
Date: May 28, 2003
cc: Nicole Fleck-Tooze
Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Alley Vacation #01021 for the People's City Mission. Public Works has no objection to the alley vacation. The requested waivers have been addressed in Dennis Bartels' memorandum dated March 18, 2002. A copy of this memorandum is attached.

M e m o r a n d u m

To: Becky Horner, Planning

From: ~~MD~~ Dennis Bartels, Engineering Services

Subject: People's City Mission Administrative Final Plat

Date: March 18, 2002

cc: Roger Figard
Randy Hoskins
Nicole Fleck-Tooze

Engineering Services has reviewed the administrative subdivision People's City Mission located between 'R' and 'S', 1st and 2nd Streets and has the following comments:

1. Sanitary Sewer - Lot 1 as shown on the plat is non-buildable because it has no access to a sanitary sewer. Rather than waive sanitary sewer requirements, Lot 1 should be platted as a non-buildable outlot until sewer is built to serve it.
2. Water - Water is available in North 2nd Street abutting Lot 1. Public Works has no objection to waiving water construction in North 1st Street.
3. Paving and Sidewalks - Paving does not exist in any street in this vicinity north of 'P' Street. Since the City Mission's initial development was approved without paving being required, Public Works has no objection to an additional waiver. The property is liable for the cost of the paving if a district is created in the future. Sidewalks exist to serve the City Mission in 1st Street from north of 'Q' Street south. The waivers to sidewalks are satisfactory. If additional construction of mission facilities are built, sidewalks can be addressed with that permit.

If pavement is not required, storm sewers will also need to be waived.
4. People's City Mission owns other property other than that being platted. Consideration should be given to including their ownership in vacated 'S' Street and other platted lots north of 'R' Street in this subdivision.

Memo



To: Becky Horner, Planning Department

From: Mark Canney, Parks & Recreation

Date: June 3, 2003

Re: People's City Mission SAV 01021

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and the following comments:

1. A waiver of street trees along both frontages to avoid damage to the trees during construction is not granted. Damaged trees are required to be replaced by the contractor.
2. Provide a landscape plan depicting acceptable species of street trees spaced according to the City of Lincoln Design Standards.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



March 29, 2002

To: Ron Buchinski, People's City Mission
Gerry Harris, People's City Mission
J.D. Burt, Design Associates
Jon Trombino, Building and Safety Department
Buff Baker, Public Works & Utilities Department
Ben Higgins, Public Works & Utilities Department
Ray Hill, Planning
Becky Horner, Planning

From: Becky Horner, Planning

Re: People's City Mission WDS #02005, AFP #02008 and SAV #01021 meeting
on March 29, 2002, 9:00am at the City-County Building

1. Becky Horner indicated the purpose of the meeting is to talk about the City Mission's possible future plans for the property within the final plat as it relates to the requested waivers. Additionally, Horner asked representatives of the floodplain development regulations to be present in order to provide information about how the future development may be restricted. J.D. Burt indicated that there was an existing permit to fill in the area of the plat. Mr. Harris and Mr. Buchinski indicated that they may purchase property adjacent to the site of the floodplain permit. Ben Higgins and Jon Trombino indicated that permits would be required. The Mission may want to consider how they treat the property within the existing permit to allow for some leeway with how they are allowed to develop areas outside the floodplain permit.
2. Buff Baker gave an overview of the existing conditions of the area and addressed specifically sanitary sewer.
3. Becky Horner asked what options the Mission has, relative to the request for the waivers to design standards, rather than asking for flat waivers when the intent of the Mission is to potentially develop the area. Buff Baker indicated that as Dennis Bartels stated in his response to the Administrative Final Plat that there is no existing sanitary sewer in the vicinity of this plat and that the lot should be platted as an unbuildable outlot, instead of a buildable lot. J.D. indicated that the Mission would not be able to obtain building permits without sewer anyway. Ray Hill indicated that if we were to plat the area as



a lot, even though a building permit is unattainable without sewer extension, it would give the impression that the lot is buildable. It would be better to plat the area as an outlot and make it obvious that restrictions exist which prevent this lot from being developed. Burt asked how the City would respond to the other requested waivers if the lot is platted as an outlot. Horner indicated that the city would agree to the waivers only if there was a condition that the Mission not oppose installation of the required improvements at such time as the outlot is platted as a lot.

4. J.D. Burt asked about the possibility of vacating R Street and taking sewer access off of the existing line to the south. Baker indicated that the sewer to the south is too shallow for additional users. Baker indicated the sewer must be extended to the east 800' to an existing sewer line. Harris and Buchinski indicated that by providing sewer to the area would make the land owned by the Mission more valuable and better for future development.
5. Ray Hill indicated the options are to either plat the area as an outlot or to provide sewer either by district (if allowed) or by executive order and plat the area as a buildable lot. Buchinski indicated that they needed to discuss the options with the Mission's Board and Foundation in order to proceed. Burt asked for an estimate of the cost of the sewer extension from Baker. Hill indicated that the applicant should send the Planning Department a letter indicating how the Mission wants to proceed. The letter should include a request of Baker to calculate an estimate for the sewer cost.